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January 12, 1997

Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

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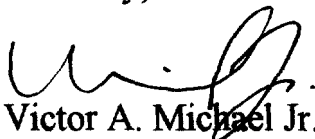
JAN 16 1997

FEDERAL COMMUNICATIONS COMMISSION

Dear Secretary,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Colstrip, Montana.

Sincerely,



Victor A. Michael Jr.
President
Windy Valley Broadcasting

c/o Magic City Media
1912 Capitol Avenue, Suite 300
Cheyenne, Wyoming 82001

307-632-4400

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

JAN 16 1997

In the matter of:)
)
Amendment of Section 73.202 (b))
) RM-_____
Table of Allotments)
)
FM Broadcast Stations)
)
(Colstrip, Montana)

PETITION FOR RULE MAKING

In this petition, Windy Valley Broadcasting is hereby requesting to allot channel 229A (93.7 Mhz) to Colstrip, Montana as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 229A (93.7 Mhz) to Colstrip, Montana and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 229A to Colstrip will have.

DISCUSSION

2. Colstrip is located in east central Montana. It is also located within Rosebud County, a county of some 10,505 persons. Colstrip has a population of 3,035 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 229A to Colstrip will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Colstrip is located at Forsyth, Montana. Forsyth is located 37 kilometers from Colstrip.

It is obvious that from the above spacing that Colstrip is presently without local FM service.

4. Colstrip would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 37 Kilometers of Colstrip. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Colstrip area of emergency conditions caused by severe weather or other health hazards.

5. Channel 229A can be allotted to Colstrip and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Colstrip, Montana	-----	229A

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 229A and the pertinent adjacent channels to 229A have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N 45 - 52' - 30", W. 106 - 38' - 00") are that of a site located within the community of Colstrip. No site restriction will be required to allot channel 229A to Colstrip. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Colstrip. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Colstrip would benefit from the allotment of channel 229A. It has also been shown that channel 229A can be allotted to Colstrip and meet all rules regarding spacing from other stations. Considering these two facts, Windy Valley Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 229A for Colstrip, Montana , 73.202.


8. Should channel 229A be allotted to Colstrip, Montana, I certify that I will file an application for a Construction Permit to operate an FM station for Colstrip, Montana.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: January 12, 1997

Respectfully submitted,



Victor A. Michael Jr.
President
Windy Valley Broadcasting

c/o Magic City Media
1912 Capitol Avenue, Suite 300
Cheyenne, Wyoming 82001

(307) 632-4400

MAPFM search of channel 229A6 (93.7 MHz), at N. 45 52 30, W. 106 38 0.

Searching Channel 229A6 (93.7 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Billings	MT	227	C1	U	142.0	75.0	264.8°	67.0
KYYA	Billings	MT	227	C1	L	142.0	75.0	264.8°	67.0
ALC	Bozeman	MT	229	C1	U	338.7	200.0	266.6°	138.7
KATH	Bozeman	MT	229	C1	L	338.7	200.0	266.6°	138.7
KATH	Bozeman	MT	229	C1	C	338.8	200.0	266.6°	138.8
ALC	Billings	MT	231	C1	U	145.8	75.0	265.8°	70.8
KRKX	Billings	MT	231	C1	L	142.0	75.0	264.8°	67.0
ALC	Lead	SD	232	C	V	230.6	95.0	126.2°	135.6
K283AF	Hardin	MT	283	D	A	71.7	0.0	257.7°	71.7

FIGURE 1
CHANNEL STUDY
COLSTRIP, MONTANA
CHANNEL 229A

